



LEGISLATIVE FISCAL OFFICE

Fiscal Note

Fiscal Note On: **HB 476** HLS 09RS 729
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 7, 2009	1:17 PM	Author: CONNICK
Dept./Agy.: Corrections		
Subject: Crime		Analyst: Kristy F. Gary

CRIME/SEX OFFENSES

Provides relative to the protection of children

EG INCREASE GF EX See Note

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Proposed law provides for the protection of children by prohibiting certain forms of contact by sex offenders. Proposed law (R.S. 14:91.3) creates the crime of unlawful participation in a child-related business. Proposed law provides for the following criminal penalties: a fine of up to \$1,000, imprisonment with or without hard labor up to one year, or both. Proposed law (R. S. 14:91.4) creates the crime of contributing to the endangerment of a minor, which includes: (1) The employment of a sex offender in a day care center, residential home, community home, group home child care facility, or family child day care home. (2) The permitting of a sex offender to have physical access to a day care center, residential home, community home, group home child care facility, or family child day care home. Provides for the following criminal penalties: a fine of up to \$1,000, imprisonment up to six months, or both.

EXPENDITURES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2009-10	2010-11	2011-12	2012-13	2013-14	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed legislation could result in an increase in state general fund expenditures for the felony offenses. The exact fiscal impact of the passage of this legislation is indeterminable because the number of offenders is unknown. However, expenditures could increase by \$24.39 per day per offender sentenced to the custody of the Department of Public Safety and Corrections (assuming the state inmates would be housed at the local level).

Proposed law could also result in an increase in local expenditures due to the misdemeanor criminal penalties for the crime of prohibited sexual conduct between educator and student and the crime of contributing to the endangerment of a minor. Misdemeanor offenders that require imprisonment are incarcerated locally at local expense. Local law enforcement agencies may realize an indeterminable increase in expenditures associated with prison costs. The cost increase will depend on the number of offenders and the cost per day for a local law enforcement agency to incarcerate an offender.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, any revenue generated through the imposition of higher fines created by this legislation would accrue to local governmental entities.

Senate

☐ 13.5.1 >= \$500,000 Annual Fiscal Cost

☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

Dual Referral Rules

House

☐ 6.8(F) >= \$500,000 Annual Fiscal Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse

LFO Staff Director